

August 4, 2005

Christopher M. Kaisershot  
Assistant Attorney General  
445 Minnesota Street, Suite 1200  
St. Paul, MN 55101-2130

Eric J. Petersen  
694 Grand Avenue, Apt. D  
St. Paul, MN 55105

RE: In the Matter of the Real Estate Salesperson License Application of Eric Joseph Petersen; OAH Docket No. 11-1005-16692-2

Dear Mr. Kaisershot and Mr. Petersen:

This letter will confirm our discussions during today's prehearing conference and constitutes my First Prehearing Order in this case. Mr. Petersen questioned the accuracy of the assertion in the Notice of Hearing that he had a 1997 conviction for felony possession of cocaine. Mr. Kaisershot indicated that the Department relied on information provided by Mr. Petersen's former probation officer. Mr. Petersen stated that he will try to provide Mr. Kaisershot with additional information regarding his conviction record to show that the 1997 conviction did not occur. Mr. Petersen requested a copy of the Department's file pertaining to him, and Mr. Kaisershot agreed to provide him with all non-privileged materials from that file. Mr. Petersen is considering whether he may wish to withdraw his appeal of the Department's denial of his application and submit a new application in the future. If so, he was asked to notify the Administrative Law Judge and Mr. Kaisershot by August 19, 2005.

It is hereby ordered as follows:

1. The parties shall exchange proposed exhibit and witness lists by August 19, 2005. The witness lists shall include a brief summary of the expected testimony of each witness. To the extent possible, the parties shall enter into prehearing stipulations regarding the facts involved in the hearing and foundation for anticipated exhibits.
2. The hearing in this matter shall be held on August 26, 2005, commencing at 9:30 a.m. in the courtrooms of the Office of Administrative Hearings, 100 Washington Avenue South, Minneapolis, Minnesota. The hearing will be tape-recorded unless the parties request a court reporter by August 19, 2005.
3. The parties shall appear at the hearing with at least three copies of each exhibit they plan to offer into evidence.

Feel free to contact me to arrange a telephone conference call if you have any questions prior to the hearing.

Sincerely,

s/Barbara L. Neilson  
BARBARA L. NEILSON  
Administrative Law Judge  
Telephone: 612/341-7604

cc: Docket Coordinator